

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the following remarks.

The claims currently pending in this application are Claims 1-5 and 17-31, with Claims 1-18 and 21 being the only independent claims.

The Official Action sets forth an anticipatory rejection of independent Claims 1, 18 and 21, and most of the dependent claims, based on the disclosure contained in U.S. Patent No. 5,642,636 to *Mitsui*. That rejection is respectfully traversed because the claims presented in the Amendment filed on October 23, 2003 patentably distinguish over the disclosure contained in *Mitsui*. For this reason, none of the claims in this application have been amended by way of this Amendment.

Independent Claim 1 is directed to a door lock system for a vehicle that comprises a latch mechanism for latching the vehicle door to the vehicle body, an open link engageable and disengageable with the latch mechanism, a swing lever connected to the open link, and a rotatably mounted inside lever. This inside lever is rotatable into engagement with the open link to move the open link in a non-rotating manner and is rotatable out of engagement with the open link. The claimed door lock system also comprises an electric driving source having a gear member, and a rotary gear member arranged between the swing lever and the electric driving source to mesh with the gear member of the electric source.

Mitsui discloses a locking device used in connection with vehicle trunk lids. The locking device includes a moving bar 26 provided with an elongated hole 28 which receives the end of a rod 29. The rod 29 is connected to a rotating lever 33 of a key cylinder 32. A switch lever 36 is positioned at the back side of the moving bar 26 so that the moving bar 26 and the switch lever 36 overlap one another. A pin 25 passes through an elongated hole 27 in the moving bar 26 and also passes through an elongated hole 37 in the switch lever 36. As discussed beginning near the bottom of column 3 of *Mitsui*, when the key cylinder 32 is rotated clockwise, the moving bar 26 moves to the right so that a folded piece 34 of the moving bar 26 engages a leg portion 35 of the ratchet 8 to thus release the ratchet 8 from the latch 5. This allows the trunk lid to be opened. On the other hand, when the key cylinder 32 is turned in the counterclockwise direction to the lock position shown in Fig. 1, with the key being subsequently pulled out while the rotating lever 33 is in the lock position, the switch lever 36 slides leftward so that a bent portion 39 of the switch lever 36 is separated from a switch 40. In this position, it is not possible to open the trunk lid without the key. That is, operating the operations switch 61 in the vehicle will not open the trunk lid.

The Official Action observes that the moving bar 26 and the switch lever 36 disclosed in *Mitsui* together correspond to the claimed open link while the rotatable lever 33 disclosed in *Mitsui* corresponds to the claimed inside lever. It is respectfully submitted that this interpretation is not consistent with the language in Claim 1. That is, Claim 1 recites that the rotatably mounted inside lever is rotatable into engagement with the open

link to move the open link in a non-rotating manner and is rotatable out of engagement with the open link. This movement of the inside lever into and out of engagement with the open link is not disclosed in *Mitsui*. It is apparent from the written description in *Mitsui* that the rotatable lever 33 (inside lever) disclosed in *Mitsui* is not rotatable into engagement with the moving bar 26/switch lever 36 (open link) as recited in independent Claim 1. Indeed, the rotatable lever 33 never engages the moving bar 26/switch lever 36. The comments in the middle of page two of the Official Action seem to suggest that the rotatable lever 33 disclosed in *Mitsui* is rotatable into engagement with the moving bar 26/switch lever 36 (the open link) because the left side of the rod 29 drives the right portion of the slot 28. However, considering the interpretation set forth in the Official Action that the rotatable lever 33 disclosed in *Mitsui* corresponds to the claimed inside lever, the rotatable lever 33 itself is not rotatable into engagement with the moving bar 26/switch lever 36 (the open link).

To the extent the Official Action interprets the rotatable lever 33 and the rod 29 together as constituting the claimed inside lever, that interpretation is also not consistent with the subject matter recited in Claim 1. That is, Claim 1 recites that the inside lever is rotatable into engagement with the open link to move the open link in a non-rotating manner and is rotatable out of engagement with the open link. In *Mitsui*, the rotatable lever 33 and the rod 29 are not rotatable out of engagement with the moving bar 26/switch lever 36 (the open link). Indeed, the rotatable lever 33 and the rod 29 are always in engagement with the moving bar 26/switch lever 36 (the open link) because the rod 29

engages the moving bar 26. Thus, regardless of whether the rotatable lever 33 itself is interpreted to correspond to the inside lever or whether the rotatable lever 33 and the rod 29 together are interpreted as corresponding to the claimed inside lever, the arrangement described in *Mitsui* cannot be said to anticipate the claimed subject matter. If it is the rotatable lever 33 itself which is said to correspond to the claimed inside lever, the rotatable lever 33 never rotates into engagement with the moving bar 26/switch lever 36 (the open link) as claimed. On the other hand, if it is the combination of the rotatable lever 33 and the rod 29 which is said to correspond to the claimed inside lever, the combination of the rotatable lever 33 and the rod 29 never rotate out of engagement with the moving bar 26/switch lever 36 (the open link) as claimed.

Independent Claim 18 is similarly distinguishable as it also recites the rotatably mounted inside lever and further sets forth that the inside lever rotates into engagement with the open link and rotates out of engagement with the open link. For the reasons discussed above in connection with Claim 1, this claimed aspect of the invention recited in Claim 18, together with the other claimed features, is not disclosed in *Mitsui*.

In the event the Examiner continues to believe the disclosure in *Mitsui* is relevant to the vehicle door lock system recited in independent Claims 1 and 18, the Examiner is kindly asked to address the points discussed above so that applicants will understand the basis for the rejection.

Independent Claim 18 is further distinguishable over the disclosure in *Mitsui* because it recites that the rotatably mounted inside lever is adapted to be operated through

operation of a door handle so that the inside lever rotates into engagement with the open link upon operation of the door handle and rotates out of engagement with the open link upon release of the door handle. Also, independent Claim 21 recites that the rotatably mounted inside lever is adapted to rotate in response to operation of the door handle so that rotation of the inside lever resulting from operation of the door handle causes the open link to move into contact with the unitarily rotatable element. Quite clearly, the rotatable lever 33 disclosed in *Mitsui* is not operated through a door handle. Instead, the rotatable lever 33 is operated through operation of the key cylinder 32.

The Official Action seems to take the position that the key cylinder 32 disclosed in *Mitsui* corresponds to the claimed door handle, but that is clearly not the case. A key cylinder is not a door handle, and the locking device disclosed in *Mitsui* does not require a door handle as it is specifically adapted for use in connection with a trunk lid.

The door lock system recited in independent Claim 21 is further distinguishable over the disclosure contained in *Mitsui* in that independent Claim 21 recites that the operation of the rotary gear member moves the swing lever to shift the open link between the unlocked and locked positions. That is not the case with the locking device disclosed in *Mitsui*. The Official Action observes that the segment gear 48 disclosed in *Mitsui* corresponds to the claimed rotary gear member while the linking lever 53 disclosed in *Mitsui* corresponds to the claimed swing lever. However, the operation of the segment gear 48 (rotary gear member) does not move the linking lever 53 (the swing lever) to shift the moving bar 26/switch lever 36 (the open link) between the unlocked and locked

positions as recited in independent Claim 21. Instead, the operation of the gear segment 48 moves the linking lever 53 to slide the moving bar 26 rightward to disengage the ratchet 8 from the latch 5 so that the trunk lid can be opened. Thus, the operation of the gear segment 48 does not move the linking lever 53 to shift the moving bar 26/switch lever 36 between the unlocked and locked positions. For this additional reason, it is respectfully submitted that the anticipatory rejection of independent Claim 21 based on the disclosure contained in *Mitsui* is improper and should be withdrawn.

Once again, in the event the Examiner continues to believe the disclosure in *Mitsui* is relevant to the vehicle door lock system recited in independent Claims 21, the Examiner is kindly asked to explain how the operation of the gear segment 48 moves the linking lever 53 to shift the moving bar 26/switch lever 36 between the unlocked and locked positions.

Early and favorable action with respect to this application is respectfully requested.

Should any questions arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application, the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

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